

JUDGE'S COPY

DMB:DD:slg:2000V00797

Copy
(20)

FILED
HARRISBURG

NOV 27 2000

MARY E. D'ANDREA, CLERK
Per 978
DEPUTY CLERK

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

PAUL LEE, :
Plaintiff :
v. : Civil No. 1:CV-00-00486
UNITED STATES OF AMERICA, et al. : (Kane, J.)
Defendants :

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

The Defendants United States of America, Kathleen M. Hawk-Sawyer, and Bureau of Prisons, ask this Court to enter judgment in their favor pursuant to Fed. R. Civ. P. 56(b). A brief in support of this motion will be filed in accordance with M.D. Pa. Local Rule 7.5.

Counsel certifies that she has not obtained the concurrence of the plaintiff pursuant to M.D. Pa. Local Rule 7.1 because the plaintiff is a prisoner proceeding pro se.

Respectfully submitted,

DAVID M. BARASCH
United States Attorney

Kate L. Mershimer

KATE L. MERSHIMER
Assistant U.S. Attorney
SHELLEY L. GRANT
Paralegal Specialist
217 Federal Building
225 Walnut Street
Post Office Box 11754
Harrisburg, PA 17108

Dated: November 27, 2000

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

PAUL LEE, :
Plaintiff :
 :
v. : Civil No. 1:CV-00-00486
 : (Kane, J.)
UNITED STATES OF AMERICA, et al. :
Defendants :

CERTIFICATE OF SERVICE BY MAIL

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers.

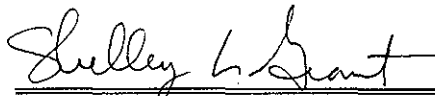
That on November 27, 2000, she served a copy of the attached

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

by placing said copy in a postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Harrisburg, Pennsylvania.

Addressee:

Paul Lee
Reg. No. 01656-087
FCI Allenwood
P.O. Box 2000
White Deer, PA 17887



SHELLEY L. GRANT
Paralegal Specialist

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

PAUL LEE,	:	
Plaintiff	:	
	:	
v.	:	Civil No. 1:CV-00-00486
	:	(Kane, J.)
UNITED STATES OF AMERICA, et al.	:	
Defendants	:	

O R D E R

NOW, this ____ day of _____, 2000,
upon consideration of the motion for summary judgment filed on
behalf of defendants United States of America, Kathleen M. Hawk-
Sawyer, and Bureau of Prisons, **IT IS HEREBY ORDERED THAT** the
motion is granted with a certification that any appeal shall be
deemed frivolous, lacking in probable cause and not taken in good
faith.

YVETTE KANE, Judge
United States District Court